

From: [Garcia, Bert](#)
To: [Hoskie, Sadie](#); [Rathbone, Colleen](#)
Subject: FW: State EPA Midyears: any issues to discuss?
Date: Tuesday, April 15, 2014 9:42:00 AM

After reading through this I think it's all permitting issues, so I'm not planning on any follow-up from my program.

Bert Garcia
Director, Ecosystems Protection Program
EPA Region 8

From: Gunderson - CDPHE, Steve [mailto:steve.gunderson@state.co.us]
Sent: Friday, April 11, 2014 8:53 AM
To: Garcia, Bert
Cc: Hoskie, Sadie; Palomares, Art; Coate, Carson; Chalfant, Mark; janet.kieler@state.co.us; Parachini, Richard
Subject: Re: State EPA Midyears: any issues to discuss?

Thanks Bert. Here's some feedback that I received from Janet Kieler, our Permits Section manager:

We really appreciate EPA's willingness to work with us on several issues in the first part of the year.

- **Bruce and Al helping with the permit issues forum intake credits issue,**
- **greg davis helping push through a log jam on a longstanding ICIS data entry issue that precluded our ability to get the cert for the Mt. Emmons mine and the associated data into ICIS (high public interest permit that needs to be in the damn daatabase).**
- **colleen giving us political heads up on things like the MS4 permittees. that has happened a couple of times now**
- **the integrated permitting workshop was definitely a success.**

From my perspective (this is Steve) and you folks at EPA certainly know this, the Clean Water program is becoming increasingly contentious, and we are often assailed by our regulated community. So often the regulated community accuse us of unilaterally pushing our own agendas. Therefore, it's becoming more and more valuable to have EPA at the table with the regulated community to provide their position and perspective. So often the regulated community accuse us of unilaterally pushing our own agendas.

Unfortunately, we do think we will fall short on backlog for the year. We just continue to get bogged down by vacancies, hiring and training and controversy and complexity. More specifically:

- the MS4 permit has pulled so much more resource than we expected that it has caused us to have to delay hydrostatic testing, and because the fire fighters are so torqued that we will have to do the hydrostatic renewal with kit gloves, and not just push it out the door. Hydrostatic testing comprises about 70 certs, which is big enough to have us fall short even if it's by just one percentage point
- the sand and gravel is currently on track, but we're on the margin. Its April and we are going to PN this month. This could blow up or, for now, its a bit under control. We'll see. This is huge for our backlog numbers. if we make the sand and gravel we will show close to the backlog, if we miss the sand and gravel our number will swing a LOT.
- individual permits continue to be a challenge. We really wish we had a way to forecast and measure the impact of the continued nuance and complexity we add to the framework is to the output rates.

On Thu, Apr 10, 2014 at 11:25 AM, Garcia, Bert <Garcia.Bert@epa.gov> wrote:

All,

A quick note from Art, Sadie, Carson, Mark (acting for Darcy O'Conner) and me. We hope all is well.

State / EPA midyears are scheduled to begin in the next few weeks. In preparation for those midyear discussions we want to ask whether you have items you'd like to discuss with any or all of us, or whether there are matters that you intend to elevate for discussion at the Regional Administrator and Executive Director / Department Secretary level.

- If there are issues for discussion at our level, we'd like to go ahead and do that in the near future . We suggest doing that by April 22.
- If you expect to identify issues for discussion at the RA/ Director / Secretary level, it helps us to know in advance so that we can brief Shaun and Howard. We request being notified of those issues also by April 22.

We're also mindful that the State Water Director's meeting is also coming up, a forum where we typically discuss both general matters and state-specific matters. You may prefer to discuss some items there, which of course is an alternative.

We appreciate your thinking about this and your response. Thanks.

Bert Garcia
Director, Ecosystems Protection Program
EPA Region 8